

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

LEONARD M. HICKMAN,

Plaintiff,

v.

HEIDI E. WASHINGTON, et al.,

Defendants.

Case No. 2:23-cv-2

HON. JANE M. BECKERING

**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Plaintiff's Eighth Amendment claim against Defendant Unknown Party #1 (named in the Complaint as "John Doe - assigned position nursing supervisor") remains. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 32) on January 29, 2025, recommending that this Court dismiss Plaintiff's claim against Defendant Unknown Party #1 without prejudice and enter a final judgment concluding this case in favor of Defendants. The Report and Recommendation was duly served on Plaintiff.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 32) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Eighth Amendment claim against Defendant Unknown Party #1 is DISMISSED WITHOUT PREJUDICE.

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<sup>1</sup> Plaintiff is the only remaining party that has appeared in the case. Defendant Unknown Party #1 has not yet filed an appearance.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections to the Report and Recommendation. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: February 27, 2025

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge